

KATHRYN LOVE, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4:14-CV-1830-JAR  
 )  
 PAUL PIATCHEK, et al., )  
 )  
 Defendants. )

This matter is before the Court on Plaintiff's Motion for Remand. (Doc. No. 7) Plaintiff originally filed this wrongful death action in the Circuit Court of St. Louis City, Missouri on August 13, 2014, alleging, *inter alia*, violations of the Fourth Amendment to the United States Constitution. (Doc. No. 4) Defendants removed the case to this Court on October 29, 2014 pursuant to 28 U.S.C. § 1331. (Doc. No. 1) On November 5, 2014, Plaintiff filed an Amended Petition for Wrongful Death removing the allegation of violations of the Fourth Amendment. (Doc. No. 12) In support of her motion for remand Plaintiff states that her amended petition does not raise any federal question.

Upon review it appears that Plaintiff has abandoned her federal claims. Defendants have not filed any opposition to Plaintiff's motion, and therefore have not attempted to meet their


burden of establishing federal subject matter jurisdiction. In re Business Men's Assurance Co. of America, 992 F.2d 181, 182 (8<sup>th</sup> Cir. 1993).

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Remand [7] is **GRANTED**.

**IT IS FURTHER ORDERED** that the Clerk of the Court shall remand this action to the Circuit Court for the City of St. Louis, Missouri.

Dated this 10<sup>th</sup> day of December, 2014.

  
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**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**